STANDING COMMITTEE ON

ADMINISTRATION AND PROCEDURE

Status of Volunteers in Members' Offices

AUGUST 2004

Report 5

Committee membership

Wayne Berry MLA (Presiding Member)

Roslyn Dundas MLA

Vicki Dunne MLA

John Hargreaves MLA

Secretary:	Mark McRae (until 6 June 2003)
	Tom Duncan (from 6 June 2003)
Assistant Secretary:	Janice Rafferty
Inquiry Secretary:	Celeste Italiano

Resolution of appointment

In 1995 the Legislative Assembly for the Australian Capital Territory ('the Assembly') adopted Standing Order 16, which established the Standing Committee on Administration and Procedure ('the Committee').

Standing Order 16 authorises the Committee to inquire into and report on, among other things, the practices and procedure of the Assembly.

Terms of reference

The following terms of reference were referred to the committee by the Assembly on 12 December 2002:

To inquire into and report on the status of volunteers working in Members' Offices.

Table of contents

Committee membership iii

Resolution of appointment iii

Terms of reference iii

Table of contents v

Summary of Recommendations vii

Introduction 1

Background on Volunteers 1

Rights of volunteers 2

Responsibilities of volunteers 3

Management of volunteers 4

The inquiry 4

Issues 8

Attachment A – Agreement between Members and those volunteers engaged in Members' offices 13

Summary of Recommendations

Recommendation 1

The committee recommends that Members be able to engage volunteers to undertake duties in their offices but that each Member must, at the commencement of the volunteer's engagement, declare in writing that the volunteer will only undertake duties of a parliamentary or electorate nature and that the Member ensure that public resources, property or services are not misused.

Recommendation 2

The committee recommends that each individual Member will be responsible for meeting the cost of insuring volunteers from their Discretionary Office Allowance.

Recommendation 3

The committee recommends that, due to the lack of detail in the arrangements for having volunteers in Members' offices, the attached agreement between Members and volunteers be used by Members when they engage volunteers.

Introduction

1 On 6 June 2002 a Select Committee on Privileges was appointed to examine whether the unauthorised receipt of e-mails from a Minister's office was a breach of privilege and whether a contempt was committed.[1] On 14 November 2002, the Select Committee presented its report entitled *Unauthorised diversion and receipt of a Member's e-mails*. In that report it was recommended that the Standing Committee on Administration and Procedure examine, among other things, the status of volunteers working in member's offices. Paragraph 4.32 of that report stated:

> 'Throughout the period under examination Mr Strokowsky was a volunteer worker for the Liberal Party in the Assembly. The committee does not question that he had authorised access to the Assembly's computer systems. However the committee does believe that the status of volunteers working in member's offices needs to be clarified. In the absence of any contract of employment their rights and obligations are not defined. **The committee recommends that the Administration and Procedure Committee examine this matter.**'

2 As a result of that recommendation the Assembly, on 12 December 2002, referred the matter to the Standing Committee on Administration and Procedure for inquiry and report.[2]

Background on Volunteers

3 Volunteering Australia gives the following as a definition of formal volunteering:

> 'Formal volunteering is an activity which takes place through not for profit organisations or projects and is undertaken:
>
> . to be of benefit to the community and the volunteer;
>
> . of the volunteer's own free will and without coercion;
>
> . for no financial payments; and
>
> . in designated volunteer positions only'.[3]

4 Thirty-two percent, about 4.4 million Australians over the age of 18 years volunteered their time and energy to not for profit organisations during 2000.[4] Volunteers work in a wide range of activities including coaching and refereeing, performing, befriending and counselling, fundraising and sales, preparing and serving food, transporting people and goods, repairing maintenance and gardening,

---

[1] Legislative Assembly for the A.C.T. *Minutes of Proceedings, No. 22,* paragraph 20, 6 June 2002.
[2] Ibid, *No. 43*, paragraph 13, 12 December 2002.
[3] Volunteering Australia, *Definitions and Principles of Volunteering,* Information Sheet, Melbourne.
[4] Australian Bureau of Statistics, *Voluntary Work Australia*, AGPS, Canberra, 2001.

management and committee work, personal care, teaching, instruction and providing information, administration and clerical.

5 Volunteering Australia indicates that the main reasons for volunteering include being of service to the community and personal satisfaction. Other reasons include gaining new skills and work experience.[5] They list the following as the Principles of Volunteering:

- Volunteering benefits the community and the volunteer.
- Volunteer work is unpaid.
- Volunteering is always a matter of choice.
- Volunteering is not compulsorily undertaken to receive pensions or government allowances.
- Volunteering is a legitimate way in which citizens can participate in the activities of their community.
- Volunteering is a vehicle for individuals or groups to address human, environmental and social needs.
- Volunteering is an activity performed in the not for profit sector only;
- Volunteering is not a substitute for paid work.
- Volunteers do not replace paid workers nor constitute a threat to the job security of paid workers.
- Volunteering respects the rights, dignity and culture of others.
- Volunteering promotes human rights and equality.[6]

Rights of volunteers

6 Volunteers are not covered by award conditions or workplace agreements, as are paid staff, but they do have rights, some of which are protected in legislation and some of which are the ethical obligations of an organisation involving volunteers.

7 This following list, established by Volunteering Australia, sets out the basis of the rights of a volunteer[7]:

- to work in a healthy and safe environment (refer to individual state Occupational Health and Safety Act[s]);

---

[5] Volunteering Australia Inc, *Volunteering in Australia: Facts and Figures*, Melbourne.
[6] Volunteering Australia Inc, *Definitions and Principles of Volunteering*, Information Sheet, Melbourne.
[7] Volunteering Australia Inc, *National Standards for Involving Volunteers in Not-For-Profit Organisations*, 2nd Edition, page 63, Melbourne, 2001.

- to be interviewed and employed in accordance with equal opportunity and anti discrimination legislation;
- to be adequately covered by insurance;
- to be given accurate and truthful information about the organisation for which they are working;
- to be reimbursed for out-of-pocket expenses incurred on behalf of the organisation for which they are working;
- to be given a copy of the organisation's volunteer policy and any other policy that affects their work;
- not to fill a position previously held by a paid worker;
- not to do the work of paid staff during industrial disputes;
- to have a job description and agreed working hours;
- to have access to a grievance procedure;
- to be provided with orientation to the organisation;
- to have their confidential and personal information dealt with in accordance with the principles of the *Privacy Act 1988*; and
- to be provided with sufficient training for them to do their job.

Responsibilities of volunteers

8 It is important to keep in mind that with rights comes responsibilities. It is crucial that any organisation involving volunteers ensures that volunteers are not only aware of their rights but also of their responsibilities. The following is a list of common responsibilities that should be adhered to by volunteers:

- be honest and reliable;
- work within the duty statement;
- be committed to the organisation's aims and objectives;
- take part in all training provided;
- inform the employer if he/she cannot keep the time of scheduled activities;
- ensure confidentiality;
- observe other employees rights;
- cooperate with the employer and inform him/her about any relevant matters;

- inform about any changes of personal details (address, phone number etc); and
- adhere to decisions made by the employee.

Management of volunteers

9 The *National Standards for Involving Volunteers in Not-for-Profit Organisations* represent what Volunteering Australia regards as 'best practice' in the management of volunteers. Volunteering Australia indicate that all organisations involving volunteers should comply with the National Standards and any other industry standards that affect volunteers and their work. The standards cover the following aspects of volunteer involvement:

- policies and procedures;
- management responsibilities;
- recruitment;
- work and the workplace;
- training and development;
- service delivery;
- documentation and records; and
- continuous improvement.

The inquiry

10 The inquiry was advertised in *The Canberra Times* on 29 March 2003 and letters inviting submissions were sent to approximately 30 individuals and organisations that may have had an interest in this particular inquiry. This included every Australian State and Territory legislature as well as the Commonwealth Parliament.

11 The Committee received a total of seven submissions from the following organisations and individuals and wishes to thank those who participated in the inquiry:

Mary Porter AM
Chief Executive Officer
Volunteering ACT;

Harry Evans
Clerk of the Senate;

Ian Harris
Clerk of the House of Representatives;

Brenda Thompson
Manager, Specialist Information Services
Legislative Assembly for the ACT Library;

Graham Rodda
Division Secretary
Community and Public Sector Union;

Mr Jon Stanhope MLA
Chief Minister for the Australian Capital Territory ; and

Legislative Assembly for the Australian Capital Territory
Secretariat.

12 The submission received from Volunteering ACT stated that 'One of the common pitfalls for organisations involving volunteers as unpaid staff is that there is insufficient rigor in ensuring that all staff are managed under the same entitlements and regime, apart from salaries …'. Volunteering ACT suggested that the following principles need to be applied as a basic minimum when engaging volunteers and that they would greatly assist members in managing their volunteer staff and serve to avoid incidents such as gave rise to the possible breach of privilege:

- appoint a 'manager' or supervisor for the volunteer staff;
- have a policy guiding your management of the volunteer staff;
- identify clearly what work is to be undertaken by paid staff and unpaid staff;
- ensure paid staff are aware of the above policy and the roles to be undertaken by the volunteer staff;
- establish clear lines of communication;
- interview all volunteer staff before appointment, against a clear job description. This will assist in:
    - selecting the volunteer most suitable for the job;
    - checking the volunteer's motivation to volunteer;
    - matching skills and availability against the job;
    - confirming the volunteer's commitment to the task;
- conduct one to one or group orientation sessions for new volunteer staff to ensure that the volunteers:
    - understand their role in relation to the paid staff;
    - are informed of their rights and responsibilities, boundaries and limits;

- understand other work place policies and procedures, e.g. in relation to privacy and confidentiality, occupational health and safety, workplace harassment, conflict of interest, grievance procedures etc;

- plan and implement on going training and staff development such as the 'Skills Training for Volunteers', an accredited course conducted by Volunteering ACT;

- conduct regular evaluation and staff reviews for volunteers staff;

- address poor performance or unacceptable behaviour through the usual remedial channels, e.g. interviewing against job description to identify problem areas such as issues of lack of training, unclear role delineation. Institute disciplinary action through the proscribed grievance procedures where necessary;

- ensure that a recognition policy is in place;

- institute policies and procedure in relation to 'legitimate out of pocket reimbursement';

- ensure appropriate volunteer accident insurance cover is in place; and

- record and publish volunteer hours contributed annually.

13 The main point raised in the submission by Brenda Thompson, Manager Specialist Information Services at the ACT Government and Assembly Library was the fact that volunteers who undertake work for MLAs should be introduced to Library staff as soon as possible so that the volunteer can be easily identified when using the facilities. The submission also indicated that if material is borrowed by the volunteer it is the responsibility of the member to ensure it is returned. Access to library facilities was also raised in the submission. Ms Thompson stated in that the Library relies '… on MLA's to employ paid or voluntary staff who can be trusted whilst in their employ.'[8]

14 In the submission by the Clerk of the Senate, it was stated that '… volunteers working in members' offices should be covered by the same statutory provisions, code of conduct and remedial measures as members' personal staff.'[9]. The Community and Public Sector Union (CPSU) agreed with this view by indicating 'There is a need for an agreed bipartisan code of conduct for staff and volunteers working in members' offices. Such a document must codify the role and accountability framework for staff and volunteers.'[10]. The submission went on to state that 'It is crucial that everyone involved with a member's office understands the roles and responsibilities of those working there.'. The CPSU suggested that it is the responsibility of the member to '… ensure that their office is run in a professional manner but their needs to be mechanisms that protect the Member from circumstances such as a staffer's reasonable mistake or mischievous behaviour.'.

---

[8] ACT Government and Assembly Library submission.
[9] Harry Evans, Clerk of the Senate submission.
[10] Community and Public Sector Union submission.

15 The Clerk of the House of Representatives indicated in his submission that members of the House of Representatives ' … periodically have volunteers working in their Parliament House offices …'[11] but that those volunteers can only have '… access to the building and the member's office if they are formally sponsored by a member.'. He went on to say that volunteers working for members in the House of Representatives '… are the responsibility of the member except for the requirements imposed on all building occupants by the Presiding Officers in relation to security etc.'.

16 Mr Jon Stanhope MLA, Chief Minister for the ACT, agreed that members have overall responsibility for the actions of the volunteers they engage. His submission suggested that as volunteers may be regular users of Assembly facilities including computing facilities the relevant member should be required to '… add the name of such people to a register'[12] and went on to suggest that such a register could be 'held by the Speaker or the Legislative Assembly secretariat …', and that each volunteer with access to Assembly facilities would be required to '… sign an undertaking that he/she will conduct himself/herself in a way consistent with the requirements for those employed under the LAMS Act.'.

17 The Legislative Assembly for the Australian Capital Territory Secretariat's submission raised what they consider to be six main issues in relation to the status of volunteers in members' offices. They were:

1. the insurance status of volunteers engaged by members;

2. under what circumstances, if any, it is appropriate for a volunteer to be engaged by a member in the Assembly building where that volunteer is undertaking work in relation to election campaigning and/or party-political activities;

3. whether it is appropriate for members to engage a volunteer where that work could be undertaken by paid staff;

4. issues associated with volunteers' access to the Assembly building and resources and facilities;

5. the obligations of volunteers; and

6. volunteers as members' proxies.

---

[11] Ian Harris, Clerk of the House of Representatives submission, page 1.
[12] ACT Government submission, page 7.

Issues

18 During the course of this inquiry it became evident that the main issue regarding the engagement of volunteers in members' offices was that of insurance. In the submission received from the Secretariat it was indicated that advice received from the ACT Insurance Authority confirmed that '… volunteers working for members are not covered by the Territory's insurance'. The submission went on to indicate that the basis for this is '… that volunteers working in members' offices are, more often than not, working in a political capacity – not for the benefit of the Territory, but for the particular member and his or her political aspirations. For this reason, the Authority deems that the responsibility for insuring such a volunteer does not lie with the Territory but instead lies with the member engaging a volunteer.'.

19 Other Australian legislatures were approached and asked to outline what insurance arrangements they have in place, if any, with regard to members' engaging volunteers in their offices. The responses received are set out in Table 1.

Table 1: Arrangements for volunteers in other jurisdictions

Legislature	Insurance Arrangements for volunteers
Senate	Volunteers are covered by the COMCOVER arrangements. These arrangements apply to all Commonwealth departments.
Legislative Council – South Australia	Volunteers assisting Members within Parliament House are not covered by any insurance.
House of Assembly – South Australia	Volunteers are covered by Public Liability Insurance for electorate offices provided by the Crown although this insurance does not cover volunteers outside electorate offices.
Legislative Council and Legislative Assembly – New South Wales	Volunteers are covered by a NSW Government insurance and risk management scheme.
House of Assembly – Tasmania	Such volunteers … fall into the same category as any other member of the public visiting Parliament House. Never been tested in law.
Legislative Council - Tasmania	Responsibility for insuring volunteers lies with the Member engaging the volunteer.
Legislative Assembly – Victoria	Responsibility for insuring volunteers lies with the member engaging the volunteer.

Legislature	Insurance Arrangements for volunteers
Legislative Assembly - Queensland	Volunteers who work in Members' electorate offices are provided with public liability and personal accident insurance. Insurance coverage is provided by the Parliament through the Queensland Government Insurance Fund.

20 Advice received from the ACT Government Solicitor indicated that if a volunteer is injured in the course of performing services for a member of the Assembly he or she would not be entitled to benefits under either the *Workers Compensation Act 1951* or the *Safety, Rehabilitation and Compensation Act 1988* as the absence of any employment relationship would prevent such a claim. There is no legislation in which volunteers are covered under, however a volunteer '… may still be able to make a claim against the Territory based on occupier's liability or on the basis of some negligent act or omission of a Territory employee for whom the Territory is vicariously liable'[13].

21 The ACT Government Solicitor stated that '… under the *Safety, Rehabilitation and Compensation Act 1988* and the *Civil Law (Wrongs) Act 2002* it is possible for the Territory to make arrangements which would put such volunteers in much the same position as employees in relation to workers compensation and personal liability.'

22 Entwined with the insurance issue is whether a volunteer is undertaking duties for the benefit of the Territory and not for political purposes. The committee considered the approach adopted by the NSW Parliamentary Remuneration Tribunal which determined that the use of parliamentary resources, entitlements or facilities is only legitimate where their use directly relates to the parliamentary duties of a member. Use of resources for non-parliamentary purposes is prohibited.[14] To clarify their position the Tribunal made the following determination as to the types of duties that can be considered 'parliamentary' and 'non-parliamentary'.

Table 2: Duties considered to be parliamentary and non-parliamentary

Examples of activities which the Tribunal has highlighted as falling into the category of parliamentary duties include:	Examples of activities which the Tribunal has highlighted as NOT falling into the category of parliamentary duties include:
. Activities undertaken in representing the interests of constituents	. Direct electioneering or political campaigning

[13] ACT Government Solicitor, letter dated 26 May 2004, page 3.
[14] Senior Project Officer, ACT Legislative Assembly, Discussion Paper dated 26 March 2004, page 2.

Examples of activities which the Tribunal has highlighted as falling into the category of parliamentary duties include:	Examples of activities which the Tribunal has highlighted as NOT falling into the category of parliamentary duties include:
. Electorate work	. Activities such as those associated with party membership drives
. Community activities to which a member is invited because of their position as a Member	. Mail distributions for non-electorate or non-parliamentary activities
. Attending sessions of parliament	. Costs associated with election campaigning for an individual member
. Official functions to which a member is invited because of their status as a parliamentary representative	. Fundraising for other party political members (such as the purchase of raffle tickets, raffle prizes, or tickets to attend functions etc)
. Participation within Australia in the activities of the Commonwealth Parliamentary Association (see the determination for details)	. Costs previously borne by political parties, which are not principally related to a member's parliamentary or electorate duties
. State, Federal and Local Government functions	. Use of electoral or parliamentary offices as campaign offices[15]
. Activities of parliamentary committees	
. Parliamentary and State ceremonial functions	
. Participation in the activities of recognised political parties, including: participation in national, state and regional conferences, branch meetings, executive meetings, committee meetings etc OR reasonable alternatives to these for independent members	
. Participation in a parliamentary group (eg the Asia Pacific Friendship Group) provided that the President of the Legislative Council and the Speaker of the Legislative Assembly have given prior approval of such a group	

[15] NSW Legislative Council Members' Guide, page 17.

23 The committee considers that this is useful for members as a guide to the types of activities which may be performed by volunteers who are undertaking work in their offices. If members are willing to declare, in writing, that the volunteer will perform only parliamentary or electorate duties the committee believes that the issue of whether the volunteer is working for the 'benefit of the Territory' would be resolved and that insurance could be obtained. The committee therefore makes the following recommendations:

Recommendation 1

The committee recommends that Members be able to engage volunteers to undertake duties in their offices but that each member must, at the commencement of the volunteer's engagement, declare in writing that the volunteer will only undertake duties of a parliamentary or electorate nature and that the member ensure that public resources, property or services are not misused.

Recommendation 2

The committee recommends that each individual Member will be responsible for meeting the cost of insuring volunteers from their Discretionary Office Allowance.

24 During the course of the Select Committee of Privileges inquiry and this inquiry it became apparent that a number of other issues regarding volunteers working in members' offices needed to be addressed and clarified by the Assembly. The issues included:

- *computer access* - what access, if any, should be given to volunteers to the Assembly computer network;
- *security* - should volunteers be issued with swipe passes and keys;
- *library and other Assembly facilities* - should access be given to library facilities, photocopiers etc;
- *guidelines* – the need for the Assembly to establish written guidelines with respect to volunteers working in members' offices;
- *rights and responsibilities* - what are the rights and responsibilities of volunteers; and
- *role and obligation of members* - what is the role and obligation of a member when engaging volunteers.

25 The issue of whether volunteers should be given access to information technology facilities, including access to the Assembly network, is a crucial one and this was highlighted during the Privileges Committee inquiry. The committee believes that it would be unreasonable to place tight restrictions on what computer access volunteers are given as this could hinder their duties somewhat. It should be the members' responsibility to decide what access, if any, each individual volunteer is given to information technology facilities and the onus is on the member to ensure that those facilities are used correctly. The member should also be responsible for ensuring that the volunteer is using any other Assembly facility appropriately including photocopiers, stationery supplies, the Library etc.

26 As volunteers tend to be engaged for short periods of time it is unnecessary for swipe cards to be issued. It is the committee's opinion that a temporary pass, similar to those given to departmental officers when visiting the Assembly, would be an appropriate form of access for volunteers. They also believe it unnecessary for volunteers to be given keys to access members' offices as volunteer duties should be undertaken during normal office hours when the member's office is manned by permanent staff. The committee does point out however that this situation may be reconsidered after the completion of the security review currently being undertaken. The committee may also wish to look at this issue after the volunteer arrangements have been in place for a sufficient period of time to be able to judge whether they are effective.

27 At present the Legislative Assembly has no guidelines or processes in place with regard to volunteers who undertake duties within the office of a member. Volunteers have 'no formal status, legal or otherwise'[16] when undertaking volunteer work in members' offices and their roles and responsibilities are not defined. This is also the case for a member who engages a volunteer. The committee considers this a precarious position for the Assembly to be in and therefore believes that a formal agreement between the member and the volunteer should be adopted that outlines the role and responsibilities of both parties. A copy of a draft agreement is attached. The committee therefore makes the following recommendation:

Recommendation 3

The committee recommends that, due to the lack of detail in the arrangements for having volunteers in Members' offices, the attached agreement between Members and volunteers be used by Members when they engage volunteers.

Wayne Berry MLA
Presiding Member
August 2004

[16] Legislative Assembly for the A.C.T. Secretariat Submission, page 2.

Attachment A

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

AGREEMENT BETWEEN MEMBERS AND THOSE VOLUNTEERS ENGAGED IN MEMBERS' OFFICES

Once the form attached to this document has been signed by both parties it should be passed on to Corporate Services as an official record of the volunteers' engagement within the Assembly.

Introduction

The Legislative Assembly for the Australian Capital Territory appreciates the work of volunteers within the Assembly and is committed to ensuring a safe, healthy and rewarding workplace for all.

Rights and responsibilities of volunteers

As a volunteer in the Legislative Assembly for the Australian Capital Territory you have the right to:

- work in a healthy and safe environment;
- be employed in accordance with equal opportunity and anti-discrimination legislation;
- be provided with a job description;
- be provided with the necessary information about the Assembly to assist in undertaking your duties;
- be provided with the necessary equipment and training to enable you to perform your duties;
- establish agreed working hours before commencing duties;
- attend any relevant staff meetings;
- not perform the work of a paid employee during the course of a normal day or during any industrial dispute;
- be reimbursed for out of pocket expenses incurred on behalf of the organisation;
- have access to grievance procedures, if necessary;
- be adequately covered by insurance; and
- have confidential and personal information dealt with in accordance with the principles of the *Privacy Act 1988*.

As a volunteer in the Legislative Assembly for the Australian Capital Territory you have responsibilities and are required to:

- be honest and reliable;
- take part in any training required;
- accept directions from your supervisor;
- observe all employees rights;
- inform your manager if you cannot attend work as agreed;
- respect and keep confidential all information viewed.
- only undertake work of a parliamentary or electorate nature;
- use appropriately any Assembly facilities you have access to; and

Role and responsibilities of managers

In order to enhance the experience of volunteers and comply with relevant legislation a manager of a volunteer in the Legislative Assembly is required to:

- provide volunteer staff with a healthy and safe workplace;
- employ volunteer staff in accordance with equal employment and anti-discrimination legislation;
- ensure that the appropriate and adequate insurance coverage is in place;
- provide volunteers with orientation and training (if applicable);
- not place volunteer staff in roles that were previously held by paid staff or have been identified as paid jobs;
- define volunteer roles and develop clear job descriptions, this includes informing the volunteer that they are only to undertake duties of a parliamentary or electorate nature;
- provide appropriate levels of management for volunteer staff;
- ensure volunteers are not required to take up additional work during industrial dispute or paid staff shortage;
- provide volunteer staff with information on grievance and disciplinary policies and procedures;

- acknowledge the rights of volunteer staff;
- offer volunteer staff the opportunity for professional development (if available);
- reimburse volunteer staff for out of pocket expenses incurred on behalf of the organisation;
- ensure that the work of volunteer staff complements but does not undermine the work of paid staff;
- treat volunteer staff as valuable team members; and
- acknowledge the contributions of volunteer staff.

Rules for members when engaging volunteers

The following rules must be adhered to when engaging volunteers:

- Volunteers should only undertake work of a parliamentary or electorate nature;
- Volunteers may be given information technology facilities but the onus is on the member to ensure that the volunteer is using those facilities correctly;
- Volunteers may be temporary passes to access members' offices but must not be supplied swipe passes or key access;
- Before a volunteer begins their duties within a members' office the following form must be read, discussed and signed by both parties:
- Members should ensure that facilities such as photocopiers, stationery etc should be used appropriately by volunteers.

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

AGREEMENT BETWEEN VOLUNTEER AND MEMBER OF THE LEGISLATIVE ASSEMBLY

I _____, MLA make the following agreement with _____ who will be engaged by me to perform voluntary duties within my office in the A.C.T. Legislative Assembly from _____ to _____:

- The volunteer will only undertake duties of a parliamentary or electorate nature and that these duties have been outlined to them;
- The volunteer will use all Assembly facilities appropriately including information technology facilities an will be made aware of the *Policy on Acceptable Use of Information Technology* (Appendix 1);
- The volunteer has been informed and has agreed that they will not be paid for their volunteer work;

- In the course of the voluntary service in the Assembly the volunteer may have access to privileged and confidential information in respect of MLA, staff, Assembly or Secretariat matters. The volunteer agrees, as a condition of being accepted for such voluntary service, that they will not divulge any privileged or confidential information concerning MLAs, staff, Assembly or Secretariat matters to anyone other than authorised personnel of the A.C.T. Legislative Assembly. The volunteer acknowledges that to do so may involve them in civil legal proceedings.

Signature _____, MLA

Date _____

Volunteer's Signature _____

Date _____

POLICY ON THE ACCEPTABLE USE OF INFORMATION TECHNOLOGY

The purpose of this document is to provide staff of the Legislative Assembly Secretariat and staff engaged under the Legislative Assembly (Members' Staff) Act with information on the acceptable and appropriate use of information technology (IT) within the Assembly.

GENERAL STATEMENT

Staff are provided with, or have access to, a range of resources and technology in the workplace to enable them to carry out their official functions. While it is accepted that there will be incidental private use of these resources within reasonable limits, it is expected that any private use will be within the bounds of acceptable workplace behaviour. Staff are expected to apply sound judgment and commonsense in these matters and take reasonable steps to eliminate inappropriate material or practices from the workplace. Access to all information on Assembly or ACT Government computer equipment ceases on the termination of employment.

The use of information technology and the Internet to intentionally view abusive, aggressive or deliberately anti-social material (including sexually or racially harassing material) constitutes unacceptable behaviour, unless this is undertaken as part of the official duties performed by a staff member.

If you are in doubt about whether your use of information technology and the Internet to view such material would constitute unacceptable behaviour, you should talk to your MLA or manager. You should also exercise caution when opening email attachments from unknown sources as they may contain material that is unacceptable in the context of this policy and/or virus infection.

POLICY

COMPUTER LOGIN & PASSWORD

- Maintain anonymity of your network login ID and password. Under no circumstances should you divulge your password to anyone.
- Always log out of the network and shut down your computer when you finish work and before you leave the Assembly building for the day.
- Your computer screen saver password should be enabled.
- Always lock your computer desktop while unattended to prevent unauthorised access.

INFORMATION MANAGEMENT

All electronic information kept on Assembly or ACT Government IT equipment may be subject to scrutiny by employers and all such material becomes part of the employer's records. Staff who receive or gain access to electronic information not intended for them have an obligation to report this situation. In such circumstances, staff may approach the Clerk, the employing member, the Assembly IT Manager or the InTACT Group. If material is inadvertently sent to staff, it may be appropriate to notify the sender accordingly in the first instance.

Staff should take reasonable steps to ensure the appropriate storage and security of their electronic information assets or documents.

- Save office or business-related documents on the computer network G:Drive, so that other staff in your office may access these files to continue the business of your office should you be unavailable.
- Do not save office or business-related documents on your computer network H:Drive when such documents may be required by other members of staff in your office.
- Avoid saving documents on your computer hard drive or C:Drive as this information is not backed up, and it is accessible to other staff who may use the computer.

UNACCEPTABLE BEHAVIOUR

It is unacceptable behaviour to use IT equipment to do any of the following:

- breach copyright laws, including broadcasting, publication and software copyright;
- interfere with or disrupt other computers, IT network equipment, services or users;
- display and disseminate email messages that contain abusive, aggressive or deliberately anti-social material (including sexually or racially harassing material);
- use the Internet to view abusive, aggressive or deliberately anti-social material (including sexually or racially harassing material) (See also advice above under "General Statement");
- use computer screen savers that depict material of a sexist, sexual or racist nature;
- download unauthorised software applications.

A breach of this policy may constitute misconduct and may be considered a breach of employment conditions.

The Standing Committee on Administration and Procedure agreed that non-executive members have a responsibility to ensure that their staff adhere to this policy.

For more information about this policy, contact the ASSEMBLY IT MANAGER – x75919

I, _____, declare that I have read and understand the Legislative Assembly's

Acceptable Use of IT Policy.

_____	_____	____ / ____/ 200
Signature	Office/Area	Date

Agreed to in principle by the Standing Committee on Administration and Procedure, 17 March 2004.
Presented to ACT Legislative Assembly Secretariat Joint Consultative Committee, 24 February 2004, and agreed.
Presented to ACT Legislative Assembly LAMS Act Staff Joint Consultative Committee, 7 May 2004, and agreed.